

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

---

In re FLINT WATER CASES

Civil Action No. 5:16-cv-10444-JEL-MKM  
(consolidated)

Hon. Judith E. Levy  
Mag. Mona K. Majzoub

---

APPLICABLE TO ALL CASES

---

VEOLIA WATER NORTH AMERICA OPERATING SERVICES, LLC,  
VEOLIA NORTH AMERICA, INC., AND VEOLIA NORTH AMERICA, LLC's  
PROPOSED AGENDA ITEMS FOR THE JUNE 19, 2019,  
STATUS CONFERENCE

The defendants Veolia Water North America Operating Services, LLC, Veolia North America, Inc., and Veolia North America, LLC believe the following matters should be among those addressed at the June 19, 2019, status conference.

1. Consolidation and/or discovery coordination with *Burgess, et al. v. United States*, Case No. 17-11218 and *Thomas, et al. v. United States*, Case No. 18-10243.

The government defendants have until June 7, 2019 to answer the complaint or file a motion to certify for interlocutory appeal Judge Linda Parker's decision denying

the Defendants' motion to dismiss, after which time coordination was to be revisited in the Flint Water Cases.

2. The deadline for Interim Class Counsel to file revised class definitions in *Carthan*. At the May 15, 2019 status conference, Interim Class Counsel informed the Court that they were in the process of working on revised class definitions that were to be finalized shortly. In turn, the VNA Defendants withdrew their motion to strike the class allegations in *Carthan* and the court ordered Interim Class Counsel to seek concurrence from the defendants regarding the timeline for filing their revised class definitions. (Dkt. 860). During a meet and confer on May 31, 2019, Interim Class Counsel representatives informed the defendants that they decline to amend their class definitions at this time. The VNA Defendants request that the motion to strike be reinstated and decided by the court without further delay. To the extent Interim Class Counsel proposes a timeline for amending class definitions at the close of discovery and in conjunction with a motion for class certification, the VNA Defendants ask that the court deny this request and implement the VNA Defendants' proposed amendment date of no later than June 24, 2019.

3. The status of the *Guertin* case in light of the mandate issued by the Sixth Circuit on May 29, 2019.

4. Hearing on the Individual City Defendants' Joint Motion to Stay Proceedings.

5. Update on the Non-Party Documents Only Subpoena Process and First Amended Stipulated Order Regarding Non-Party Documents Subpoenas.

6. The status of the pending motions to dismiss in the *Walters*, *Sirls*, and *Marble* cases.

7. The status of written discovery requests and responses. Several parties have served written discovery requests on the *Carthan* plaintiffs and on the answering defendants.

*Respectfully submitted,*

CAMPBELL CONROY &  
O'NEIL, P.C.

/s/ Alaina N. Devine  
James M. Campbell  
Alaina N. Devine  
One Constitution Wharf, Suite 310  
Boston, MA 02129  
(617) 241-3000  
jmcampbell@campbell-trial-lawyers.com  
adevine@campbell-trial-lawyers.com

/s/ Cheryl A. Bush  
Cheryl A. Bush (P37031)  
Michael R. Williams (P79827)  
3001 W. Big Beaver Road, Suite 600  
Troy, MI 48084  
(248) 822-7800  
bush@bsplaw.com  
williams@bsplaw.com

*Attorneys for Veolia Water North America Operating Services, LLC, Veolia North America, LLC, and Veolia North America, Inc.*

Dated: June 5, 2019

CERTIFICATE OF SERVICE

I, Alaina N. Devine, one of the counsel of record for the VNA defendants, certify that I served the within Proposed Agenda Items on June 5, 2019, by causing it to be e-filed through the Court's CM/ECF electronic filing system which will automatically deliver electronic copies of it to counsel of record for all parties to have appeared in *In re Flint Water Cases*.

/s/ Alaina N. Devine

Alaina N. Devine

adevine@campbell-trial-lawyers.com